

this section], (2) explaining bases for any inconsistency between such regulations and regulations of Secretary under section 321(b)(1) of such Act [subsec. (b)(1) of this section], (3) on extent, substance, and results of his consultations with Secretary respecting prescribing and implementation of Administrator's regulations, and (4) containing such recommendations for legislation and administrative actions as he determined were necessary and desirable, with Administrator to submit report not later than sixty days after effective date of regulations prescribed by Secretary under such section 321(b)(1) [subsec. (b)(1) of this section], and to publish such report in Federal Register, was characterized by section 111(c)(5) of Pub. L. 94-581 as having been superseded by section 4134 [now 7334] of Title 38, Veterans' Benefits.

**§§ 290dd-3 to 290ee-3. Omitted**

**CODIFICATION**

Sections 290dd-3 to 290ee-3 were omitted in the general revision of this part by Pub. L. 102-321.

Section 290dd-3, act July 1, 1944, ch. 373, title V, § 544, formerly Pub. L. 91-616, title III, § 333, Dec. 31, 1970, 84 Stat. 1853, as amended Pub. L. 93-282, title I, § 122(a), May 14, 1974, 88 Stat. 131; Pub. L. 94-581, title I, § 111(c)(4), Oct. 21, 1976, 90 Stat. 2852; renumbered § 523 of act July 1, 1944, Apr. 26, 1983, Pub. L. 98-24, § 2(b)(13), 97 Stat. 181; Aug. 27, 1986, Pub. L. 99-401, title I, § 106(a), 100 Stat. 907; renumbered § 544, July 22, 1987, Pub. L. 100-77, title VI, § 611(2), 101 Stat. 516; June 13, 1991, Pub. L. 102-54, § 13(q)(1)(A)(ii), 105 Stat. 278, related to confidentiality of patient records for alcohol abuse and alcoholism programs. See section 290dd-2 of this title.

Section 290ee, act July 1, 1944, ch. 373, title V, § 545, formerly Pub. L. 92-255, title V, § 502, as added Pub. L. 94-237, § 12(b)(1), Mar. 19, 1976, 90 Stat. 247, and amended Pub. L. 95-461, § 5, Oct. 14, 1978, 92 Stat. 1269; Pub. L. 96-181, § 11, Jan. 2, 1980, 93 Stat. 1315; renumbered § 524 of act July 1, 1944, and amended Apr. 26, 1983, Pub. L. 98-24, § 2(b)(15), 97 Stat. 181; renumbered § 545, July 22, 1987, Pub. L. 100-77, title VI, § 611(2), 101 Stat. 516; Nov. 4, 1988, Pub. L. 100-607, title VIII, § 813(3), 102 Stat. 3170; Nov. 7, 1988, Pub. L. 100-628, title VI, § 613(3), 102 Stat. 3243; Aug. 16, 1989, Pub. L. 101-93, § 5(t)(1), 103 Stat. 615, related to technical assistance to State and local agencies by National Institute on Drug Abuse.

Section 290ee-1, act July 1, 1944, ch. 373, title V, § 546, formerly Pub. L. 92-255, title IV, § 413, Mar. 21, 1972, 86 Stat. 84, as amended Pub. L. 96-181, § 8(a), (b)(1), Jan. 2, 1980, 93 Stat. 1313, 1314; Pub. L. 97-35, title IX, § 973(e), Aug. 13, 1981, 95 Stat. 598; renumbered § 525 of act July 1, 1944, and amended Apr. 26, 1983, Pub. L. 98-24, § 2(b)(16)(A), 97 Stat. 182; Oct. 27, 1986, Pub. L. 99-570, title VI, § 6002(b)(2), 100 Stat. 3207-159; renumbered § 546, July 22, 1987, Pub. L. 100-77, title VI, § 611(2), 101 Stat. 516; Nov. 4, 1988, Pub. L. 100-607, title VIII, § 813(4), 102 Stat. 3171; Nov. 7, 1988, Pub. L. 100-628, title VI, § 613(4), 102 Stat. 3243; Aug. 16, 1989, Pub. L. 101-93, § 5(t)(1), 103 Stat. 615, related to drug abuse among government and other employees.

Section 290ee-2, act July 1, 1944, ch. 373, title V, § 547, formerly Pub. L. 92-255, title IV, § 407, Mar. 21, 1972, 86 Stat. 78, as amended Pub. L. 94-237, § 6(a), Mar. 19, 1976, 90 Stat. 244; Pub. L. 94-581, title I, § 111(c)(2), Oct. 21, 1976, 90 Stat. 2852; renumbered § 526 of act July 1, 1944, Apr. 26, 1983, Pub. L. 98-24, § 2(b)(16)(B), 97 Stat. 182; renumbered § 547, July 22, 1987, Pub. L. 100-77, title VI, § 611(2), 101 Stat. 516, related to admission of drug abusers to private and public hospitals.

Section 290ee-3, act July 1, 1944, ch. 373, title V, § 548, formerly Pub. L. 92-255, title IV, § 408, Mar. 21, 1972, 86 Stat. 79, as amended Pub. L. 93-282, title III, § 303(a), (b), May 14, 1974, 88 Stat. 137, 138; Pub. L. 94-237, § 4(c)(5)(A), Mar. 19, 1976, 90 Stat. 244; Pub. L. 94-581, title I, § 111(c)(3), Oct. 21, 1976, 90 Stat. 2852; Pub. L. 97-35, title IX, § 973(d), Aug. 13, 1981, 95 Stat. 598; renumbered § 527 of act July 1, 1944, and amended Apr. 26, 1983, Pub. L. 98-24, § 2(b)(16)(B), 97 Stat. 182; Aug. 27, 1986, Pub. L. 99-401, title I, § 106(b), 100 Stat. 907; renumbered § 548,

July 22, 1987, Pub. L. 100-77, title VI, § 611(2), 101 Stat. 516; June 13, 1991, Pub. L. 102-54, § 13(q)(1)(A)(iii), (B)(ii), 105 Stat. 278, related to confidentiality of patient records for drug abuse programs. See section 290dd-2 of this title.

**PART E—CHILDREN WITH SERIOUS EMOTIONAL DISTURBANCES**

**§ 290ff. Comprehensive community mental health services for children with serious emotional disturbances**

**(a) Grants to certain public entities**

**(1) In general**

The Secretary, acting through the Director of the Center for Mental Health Services, shall make grants to public entities for the purpose of providing comprehensive community mental health services to children with a serious emotional disturbance.

**(2) "Public entity" defined**

For purposes of this part, the term "public entity" means any State, any political subdivision of a State, and any Indian tribe or tribal organization (as defined in section 450b(b) and section 450b(c)<sup>1</sup> of title 25).

**(b) Considerations in making grants**

**(1) Requirement of status as grantee under part B of subchapter XVII**

The Secretary may make a grant under subsection (a) of this section to a public entity only if—

(A) in the case of a public entity that is a State, the State is a grantee under section 300x of this title;

(B) in the case of a public entity that is a political subdivision of a State, the State in which the political subdivision is located is such a grantee; and

(C) in the case of a public entity that is an Indian tribe or tribal organization, the State in which the tribe or tribal organization is located is such a grantee.

**(2) Requirement of status as medicaid provider**

(A) Subject to subparagraph (B), the Secretary may make a grant under subsection (a) of this section only if, in the case of any service under such subsection that is covered in the State plan approved under title XIX of the Social Security Act [42 U.S.C. 1396 et seq.] for the State involved—

(i) the public entity involved will provide the service directly, and the entity has entered into a participation agreement under the State plan and is qualified to receive payments under such plan; or

(ii) the public entity will enter into an agreement with an organization under which the organization will provide the service, and the organization has entered into such a participation agreement and is qualified to receive such payments.

(B)(i) In the case of an organization making an agreement under subparagraph (A)(ii) regarding the provision of services under subsection (a) of this section, the requirement es-

<sup>1</sup> See References in Text note below.